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10 *Union Pacific Railroad Company*

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CLERK US DISTRICT COURT	
DISTRICT OF NEVADA	
BY:	DEPUTY

11
12 IN THE UNITED STATES DISTRICT COURT
13
14 FOR THE DISTRICT OF NEVADA

15 UNION PACIFIC RAILROAD COMPANY, Case No. 3:17-cv-00477-LRH-VPC
16 a Delaware corporation,

17 Plaintiff,
18 v.

19 WINECUP GAMBLE, INC., a Nevada
20 corporation; and PAUL FIREMAN, an
21 individual,

22 Defendants.

23
24 ORDER

25 STIPULATION AND REQUEST TO
26 VACATE CASE MANAGEMENT
27 CONFERENCE

28 Plaintiff UNION PACIFIC RAILROAD COMPANY (“Plaintiff”), Defendant WINECUP
GAMBLE, INC., and Defendant PAUL FIREMAN (“Defendants”) hereby stipulate and request
that the case management conference scheduled for April 16, 2018 at 10:00 a.m. be vacated.

In support of this request, the parties stipulate:

1. Defendant Fireman served Plaintiff with his First Set of Discovery Requests,
consisting of interrogatories and requests for production of documents on December 18, 2017.
2. Plaintiff provided responses to the interrogatories and requests for production of
documents on January 29, 2018.

1 3. Due to objections to many of the requests for production of documents, the parties
2 held a telephonic meet and confer on February 2, 2018.

3 4. Plaintiff is diligently working to gather and produce the documents in response to
4 Fireman's request for production of documents, but they are voluminous. Plaintiff anticipates
5 disclosing documents to Fireman this week.

6 5. On March 6, 2018, Plaintiff served Defendant Winecup Gamble, Inc. with its first
7 set of interrogatories and requests for production of documents. The responses are due on April
8 12, 2018.

9 6. Defendants noticed a deposition for the Person Most Knowledgeable at the Nevada
10 Division of Water Resources, set for March 20, 2018 at 10:00 a.m., in Reno; the deposition was
11 then rescheduled to April 18, 2018 at 9:00 a.m.

12 7. Defendant Winecup Gamble, Inc. informed Plaintiff that it will be engaging in repair
13 work on the dams that are the subject of this action by the end of the month. The parties are working
14 together to arrange a date to allow Plaintiff's expert to inspect the dams before repairs occur.

15 Therefore, there are no discovery issues at this time to bring before the Court.

16 WHEREFORE, Plaintiff and Defendants request that the case management conference
17 scheduled for April 16, 2018 at 10:00 a.m. be vacated.

18 STIPULATED AND AGREED to on this 11th day of April, 2018.

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20 Respectfully submitted,

21 PARSONS BEHLE & LATIMER

22 _____
23 /s/ Ashley C. Nikkel
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30 *Attorneys for Plaintiff Union
Pacific Railroad Compan*

31 Respectfully submitted,

32 SNELL & WILMER, L.L.P.

33 _____
34 /s/ Michael R. Menssen
35 William E. Peterson, Bar No. 1525
36 Ryan Stodtmeister, Bar No. 14281
37 - and -
38 David J. Jordan, (Admitted Pro Hac Vice)
39 Michael R. Menssen, (Admitted Pro Hac Vice)
40 Stoel Rives, LLP

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42 *Attorneys for Defendant Winecup Gamble, Inc.,
and for Defendant Paul Fireman*

43
44 *IT IS SO ORDERED*
45
46 _____
47 *U.S. MAGISTRATE JUDGE*

48
49 *DATED: April 12, 2018*

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I am an employee of the law firm of Parsons Behle & Latimer and
3 that on the 11th day of April, 2018, I filed a true and correct copy of the foregoing

4 **STIPULATION AND REQUEST TO VACATE CASE MANAGEMENT CONFERENCE**
5 with the Clerk through the Court's CM/ECF system, which sent electronic notification to all
6 registered users as follows:

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22 *Attorneys for Defendant Winecup Gamble, Inc.
23 and for Defendant Paul Fireman*

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25 /s/ Tracy L. Brown
26 Employee of Parsons Behle & Latimer